

**REMARKS**

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

**Status of Claims:**

No claims are currently being cancelled or added.

Claims 22, 23 and 25-29 are currently being amended.

This amendment and reply amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 22-30 are pending in this application.

**Claim Rejections – 35 U.S.C. § 112, 2<sup>nd</sup> Paragraph:**

In the Office Action, claims 22-30 were rejected under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph, as being indefinite, for the reasons set forth on pages 2 and 3 of the Office Action. While Applicant disagrees with this rejection due to the claims necessarily involving a plurality of steps (or functions) that require some specificity to make the various features of the claims clear, the presently pending claims have been amended to more concisely recite the features of the present invention. Note that all of the recited features are required to provide the substance (e.g., signals being output, data being stored) for implementing the presently claimed invention.

Accordingly, the presently pending claims, while a bit long (out of necessity), fully comply with 35 U.S.C. § 112, 2<sup>nd</sup> paragraph.

**Claim Rejections – Prior Art:**

In the Office Action, claims 22-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,940,843 to Zucknovich et al. in view of Disclosed Prior Art (applicant's specification, pages 1-4) and Official Notice. This rejection is traversed with respect to the presently pending claims under rejection, for at least the reasons given below.

In Zucknovich et al., a research provider obtains publically accessible information of companies, and makes that information available to users, who can then make financial

decisions concerning one or more of those companies. There does not appear to be a mechanism in the system of Zucknovich et al. for companies to provide their own “proprietary” or otherwise non-publically-available information to a research provider, based on a previous contract between that company and the research provider. Rather, it is the “investment reports” generated by the research provider in the system of Zucknovich et al. using publically available information that appear to be regulated and only sent to certain users.

In Applicant’s Disclosed Prior Art system described on pages 1-4 of the specification, there is no network communications provided to transfer data between parties; rather, a corporate rating entity official physically goes to a target enterprise, collects pertinent information at the target enterprise (e.g., by writing information onto a tablet of the official), and then that pertinent information is stored at the corporate rating entity by someone (the official or his/her assistant) manually entering in that data onto a computer database.

As such, in Applicant’s Disclosed Prior Art system described on pages 1-4 of the specification, there is no teaching or suggestion of a network that provides for communications between respective terminals of target enterprises, an ASP, and a corporate rating business entity.

Similarly, neither the Prior Art system described on pages 1-4 of the specification nor Zucknovich et al. teaches or suggests the checking of specific contracts between various entities, as specifically recited in the various steps or functions in the presently pending independent claims. Rather, in Zucknovich et al., a user who preliminary registers for a service from a financial research provider is provided with pertinent “publically available” information, whereby no later checking of contracts between specific parties is made at later points in time in the system of Zucknovich et al.

In Applicant’s Disclosed Prior Art system described on pages 1-4 of the specification, the updating of information of a target enterprise is based on the individual schedule of the official of the corporate rating entity, since no updating can be performed until and unless that official makes a trip to the headquarters of the corporate rating entity. Such a drawback does not exist in the presently claimed invention, whereby the target enterprise sends its updated information to the corporate rating entity via a network, and thus the corporate rating entity is provided with the most current information of the target enterprise which may not occur in

the Prior Art system. In Zucknovich et al., the financial research provider obtains publically available information as that information is provided publically, whereby there is no provision for a company to provide pertinent information only to one entity, that being a corporate rating entity, at certain points in time. Thus, the teachings of Zucknovich et al. do not change that fact that a target enterprise in the combined system of Zucknovich et al. and Applicant's Disclosed Prior Art does not provide business information to an entity (e.g., an ASP) for which the target enterprise has a contract with, periodically via a network..

Also, the presently pending independent claims recite the following features in which *an accounting firm can evaluate closing account details of said specific target enterprise and issue an electronic signature certifying the accuracy and appropriateness of said closing account details of said specific target enterprise, whereby that electronic signature is then stored with the information of the target enterprise*. Such features are not taught or suggested by either Applicant's Disclosed Prior Art or by Zucknovich et al., which does not provide an electronic certification for any publically available reports that are obtain by financial research provider. Put in another way, why would Zucknovich et al.'s system need to certify a publically available document of a company? The answer is that there is no reason why Zucknovich et al.'s system would do such a thing.

Also, in the present invention, since the current and live (e.g., non-publically available) information generated directly from the business activities of a target enterprise can be directly obtained from the target enterprise by the corporate rating business entity, the corporate rating business entity can obtain very high level of trust corporate information about the target enterprise. Thereby, the corporate rating business entity can provide a more accurate corporate rating about a target enterprise, as compared to conventional systems.

Still further, as was made in previously-filed responses, Applicant respectfully traverses the Official Notice taken in the Office Action with respect to the specific use of ASPs.

As mentioned in the Background Section of the application, each enterprise may provide its proprietary information to an evaluator via a computer network, whereby there is no need to use an ASP for such a system. The fact that networks may have an ASP, by itself, it not enough for one skilled in the art to provide such a system to the Disclosed Prior Art system, since issues regarding security and the like become very prominent when proprietary

information from different enterprises is stored at one location, and whereby security leaks and the like may occur, which would be disastrous to such a system.

Thus, to assert that an ASP would be used in a system as recited in the presently pending claims, given the security issues that would be involved in having such a system, amounts to improper hindsight reconstruction of the claimed invention. In other words, to assert that having an ASP for management and use of applications, without factoring in the major downside in that security issues resulting from sending important information of a company to a site in which competitors also have access to that site, clearly does not outweigh the negatives of having an ASP in such a network.

Accordingly, it is submitted that one of ordinary skill in the art, based on the standard knowledge of an ASP at the time the invention was made, would not utilize an ASP in such a network in which secure information is provided from multiple companies, since the dangers associated with someone obtaining that secure information either via the network communication lines and/or the ASP itself would strongly weigh against the use of an ASP in such a network.

Note that the presently pending claims recite respective specific areas in which information of respective target enterprises are stored, whereby such features provide an additional basis of patentability for the presently pending claims.

Furthermore, with respect to dependent claims 23, 26 and 29, those claims recite that the business information provided to the ASP by the target enterprise includes non-publically-available information of the target enterprise. As discussed above, in Zucknovich et al., only publically-available information is collected by a research provided and provided to users.

**Conclusion:**

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment,

to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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